IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.274 OF 2005

The State of Maharashtra ...Applicant
vs.
Prabhakar Gopalnath Patil @ Langda ...Respondent

Mr.K.V.Saste,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 23,2005

P.C.:

1. Heard learned A.P.P. for State. An application was made by the Applicant-State in the pending Sessions Case seeking adjournment on the ground that original Panchnama was not placed on record. The ground for adjournment is that as the Investigating Officer had gone out for official duty, it was difficult to proceed with the trial without the original Panchnama on record.

2. The said application was opposed by the accused. The learned Sessions Judge noted that by order dated 18th May 2005 a direction was given to the State to keep all the witnesses present on the next date i.e. 6-6-2005. However, on that date only one witness was kept present. The application for adjournment on which the impugned order has been passed was filed on 16th June 2005.

3. By the impugned order the learned Judge granted the

request for adjournment subject to the Applicant paying costs of Rs.200/- to each accused. After having heard the learned A.P.P. for State, I am satisfied that there was is no error in the impugned order. Perusal of the impugned order shows that the learned Judge could have been justified in passing an order of rejection. However, by way of indulgence the learned Judge granted adjournment and rightly directed the Applicant to pay the costs to the accused persons. No interference is called for. Revision Application is rejected. If the State Government has not deposited the costs within stipulated period, liberty to the Applicant to apply for extension of time before the learned Sessions court. If such application is made by the Applicant, it will be considered by the learned Judge on its own merits in accordance with law.

JUDGE